

AMENDED IN SENATE SEPTEMBER 2, 2011

AMENDED IN ASSEMBLY APRIL 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1019

Introduced by Assembly Member John A. Pérez

February 18, 2011

An act to amend Section 42982 of the Public Resources Code, relating to solid waste, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1019, as amended, John A. Pérez. Solid waste: carpet stewardship.

Existing law establishes a carpet stewardship program, administered by the Department of Resources Recycling and Recovery, that requires a carpet manufacturer or a carpet stewardship organization to adopt a plan for the purpose of increasing the amount of postconsumer carpet that is diverted from landfills and recycled into secondary products or managed in a manner that is consistent with the state's hierarchy for waste management practice. Under the plan, an assessment is to be imposed on the carpet sold in the state for the purposes of funding the implementation of the plan.

Proposition 26, approved by the voters by initiative on November 2, 2010, amends Article XIII A of the California Constitution to provide that certain levies, charges, or exactions imposed by the state and adopted after January 1, 2010, but before November 3, 2010, is void 12 months after the November 3, 2010, effective date of Proposition 26 unless it is reenacted in compliance with the requirements of Article XIII A of the California Constitution.

This bill would reenact the state law that enacted the carpet stewardship program and would provide that law continues to be operative on and after November 3, 2011.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law requires the Department of General Services, to the extent feasible and within existing resources, to take appropriate steps to ensure that postconsumer carpet removed from state buildings is managed in a manner that diverts the carpet from landfills and recycles it into secondary products or manages it in a manner consistent with the state's hierarchy for waste management practices.~~

~~This bill would require the department to take those steps by January 1, 2014. The bill would define "state buildings" to include buildings owned or leased by the state.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Chapter 20 (commencing with Section 42970) of*
2 *Part 3 of Division 30 of the Public Resources Code is hereby*
3 *reenacted and shall continue to be operative on and after*
4 *November 3, 2011.*

5 *SEC. 2. This act is an urgency statute necessary for the*
6 *immediate preservation of the public peace, health, or safety within*
7 *the meaning of Article IV of the Constitution and shall go into*
8 *immediate effect. The facts constituting the necessity are:*

9 *To ensure the continued operation of the carpet stewardship*
10 *program for the preservation of public health and the environment,*
11 *it is necessary for this measure to take effect immediately.*

12 ~~SECTION 1. Section 42982 of the Public Resources Code is~~
13 ~~amended to read:~~

14 ~~42982. (a) On or before January 1, 2014, the Department of~~
15 ~~General Services shall, to the extent feasible and within existing~~
16 ~~resources, take appropriate steps, including, but not limited to,~~
17 ~~revising relevant procurement rules, to ensure that postconsumer~~
18 ~~carpet that is removed from state buildings is managed in a manner~~
19 ~~consistent with the purpose of this chapter.~~

- 1 ~~(b) For the purposes of this section, “state buildings” includes~~
2 ~~buildings owned or leased by the state.~~

O